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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,147	07/11/2003	Hao-Yun Ma		4139
25859	7590	06/07/2004		
			EXAMINER	
			ZARROLI, MICHAEL C	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/618,147	MA ET AL. <i>[Signature]</i>
	<b>Examiner</b> Michael C. Zarroli	<b>Art Unit</b> 2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 11 July 2003.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 16 and 17 is/are allowed.  
 6) Claim(s) 1-5,9-11,14,15,18 and 19 is/are rejected.  
 7) Claim(s) 6-8,12 and 13 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 11 July 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/11/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the rectangular housing (instead housing is square) as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:
- The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
3. Claims 3, 5, 10 and, 18-19 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 3, 5 and, 10 the examiner does not understand how the contacts can protrude above the bottom of the housing in the cavity. Shouldn't this

limitation read --below the bottom of the housing cavity--? The examiner will interpret as such.

Claim 5 recites the limitation "the contacts protruding" in line 4. There is insufficient antecedent basis for this limitation in the claim.

In claims, 18-19 the examiner is not sure what the applicant has in mind with the term pick up cap. Is this term defined clearly and unambiguously in the specification? The examiner thinks the term means a cap that provides some type of suction.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country, in public use, or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-5 rejected under 35 U.S.C. 102(e) as being clearly anticipated by Tsai.

Tsai discloses an electrical connector comprising an insulative housing (1), a clip (4) engaged on the housing (fig. 6), and a plurality of electrical contacts received in the housing (fig. 9), the contacts protruding from the housing (figures 9 and 9a); a pick up cap (3) engaged on the housing and comprising a planar body with a smooth top surface (fig. 5); wherein the pick up cap is disposed between the housing and the clip (figures 5 & 6); whereby the pick up cap protects the contacts from damage or contamination.

Regarding claim 2 Tsai discloses (fig. 7) that the housing comprises a front side, a rear side, and a pair of lateral sides cooperatively defining a cavity (fig. 5).

Regarding claim 3 (as best understood) Tsai discloses that the electrical contacts protrude a predetermined height above a bottom of the housing in the cavity (figures 9 & 9A).

Regarding claim 4 Tsai discloses that a securing recess is defined in the front side, a plurality of spaced rear steps is provided in the rear side, and a plurality of spaced steps is provided in each lateral side (figures 5-7).

Regarding claim 5 (as best understood) Tsai discloses that the securing recess, the lateral steps and the rear steps define a same height, and said same height is greater

than said predetermined height of the contacts protruding above the bottom of the housing (various previously mentioned figures).

6. Claims 9-11 and, 14-15 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Liu et al.

Liu discloses an electrical connector comprising a dielectric housing (12), and a plurality of conductive contacts (14) received therein, the housing comprising a plurality of sidewalls (fig. 2) cooperatively defining a cavity (28) there between; and a pick up cap (16) comprising a planar body with a smooth top surface (fig. 3); wherein the pick up cap is disposed in the cavity (fig. 3) and engages with side walls of the cavity; whereby the pick up cap provides protection for the contacts. Regarding claim 10 (as best understood) Liu disclose that the contacts protrude a predetermined height “above a bottom” of the housing in the cavity (fig. 1).

Regarding claim 11 Liu disclose that the sidewalls of the housing are comprised in a front side, a rear side, and a pair of lateral sides of the housing (fig. 4).

Regarding claim 14-15 Liu disclose that the pick up cap comprises a head portion, a pair of spaced tail portions, and a plurality of spaced lateral portions with a pair of spaced, parallel latch arms depends from the head portion (figures 1 & 2 at 16).

***Allowable Subject Matter***

7. Claims 16-17 are allowed over the prior art of record.
8. Claims 6-8 and, 12-13 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
9. Claim 18 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.
10. Claim 19 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
11. The following is a statement of reasons for the indication of allowable subject matter: In combination with claim 1, the pick up cap has a head, spaced tail portions and, spaced lateral portions. In combination with claims 9 and 11, the housing having a securing recess in a front and, a pair of spaced rear steps and, a pair of lateral steps. Regarding claim 16, the fastening device operation with the pick up cap and housing and, the top of the cap being exposed for suction.

***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The US patents listed on the PTO-892 all teach pick up caps with insulative housing and latches.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Zarroli whose telephone number is 571-272-2101. The examiner can normally be reached on 7:30 to 3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Feild can be reached on (571) 272-2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael C. Zarroli  
Primary Examiner  
Art Unit 2839

  
MCZ